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SCHWABE, WILLIAMSON & WYATT, P.C.

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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

JOHN T. STROHECKER dba  
PORTLAND FIDUCIARY SERVICES,  
Guardian Ad Litem/Special Fiduciary for  
DAVID W. BONNER,

Plaintiff,

vs.

AMERICAN GOLF CORPORATION OF  
CALIFORNIA, INC. dba OREGON GOLF  
CLUB, fdba THE OREGON GOLF CLUB,  
AMERICAN GOLF CORPORATION dba  
OREGON GOLF CLUB, fdba THE  
OREGON GOLF CLUB, a Foreign  
Corporation,

Defendant.

Case No. \_\_\_\_\_

Personal Injuries; Premises Liability;  
Negligence; Liquor Liability

**NOTICE OF REMOVAL**

Defendants American Golf Corporation of California, Inc. dba Oregon Golf Club, fdba

The Oregon Golf Club, and American Golf Corporation dba Oregon Golf Club, fdba The Oregon

Golf Club (collectively “Defendants”), by and through their counsel, file this Notice of Removal of Civil Action (the “Notice of Removal”) with respect to that action brought against Defendants by Plaintiff John T. Strohecker dba Portland Fiduciary Services, Guardian Ad Litem/Special Fiduciary for David W. Bonner in the Circuit Court of Oregon for the County of Multnomah, Case No. No. 22CV27139 (the “State Court Action”).

The grounds in support of this Notice of Removal to Federal Court are as follows:

### **BACKGROUND**

1. On August 15, 2022, Plaintiff filed his Complaint against Defendants. A true and correct copy of the Complaint is attached as **Exhibit A**. No other process, pleadings, or orders have been served on Defendants.

### **THE PARTIES’ CITIZENSHIP**

2. This removal is based on diversity of citizenship. This Court has original jurisdiction pursuant to 28 U.S.C. § 1332(a) because Plaintiff is a citizen of a different state than Defendants, and the amount in controversy exceeds \$75,000, exclusive of interest and costs. Neither defendant is a citizen of Oregon.

3. Upon information and belief, at all relevant times, including the time of filing the Complaint and the time of removal, Plaintiff was a resident and citizen of the State of Oregon.

4. At all relevant times, including the time of filing the Complaint and the time of removal, defendants American Golf Corporation of California, Inc. and American Golf Corporation were and are corporations organized under the laws of the State of California with their principal place of business in Texas. Thus, American Golf Corporation of California, Inc. and American Gold Corporation are citizens of California and Texas. *See* 28 U.S.C. § 1332(c)(1) (“a corporation shall be deemed to be a citizen of every State and foreign state by which it has

been incorporated and of the State or foreign state where it has its principal place of business”).

5. Oregon Golf Club and The Oregon Golf Club are fictitious business entities. Courts do not consider the citizenship of fictitious business entities when evaluating whether diversity jurisdiction exist. *See e.g. Watts v. Embassy Suites by Hilton Phila. Airport*, No. 21-1307, 2021 U.S. Dist. LEXIS 132672, at \*3-5 (E.D. Pa. July 15, 2021) (“A fictitious name does not create a separate legal entity and is merely descriptive of a corporation who does business under another name. Fictitiously named entities are nominal parties without a real interest in the outcome of litigation. When considering whether there is diversity jurisdiction, the Court must evaluate the substantial party’s citizenship and not the location of any fictitiously named entity.”)

#### **AMOUNT IN CONTROVERSY**

6. In the Complaint, Plaintiff pleads an amount in controversy of \$7,773,789.15. Complaint at Case Caption.

7. It is facially apparent from the Complaint that the requisite amount in controversy is satisfied. *See Dart Cherokee Basin Operating Co., LLC v. Owens*, 135 S. Ct. 547, 553 (2014) (holding that the “defendant’s notice of removal need include only a plausible allegation that the amount in controversy exceeds the jurisdictional threshold”).

#### **REMOVAL IS TIMELY AND PROPER**

8. Plaintiff completed service of the Summons and Complaint on Defendants no earlier than September 19, 2022.

9. This Notice of Removal is being filed prior to the expiration of the thirty (30) day period after the date Defendants were served with or otherwise received a copy of the Complaint and Summons.

10. This Court is the proper venue for removal because the United States District Court for the District of Oregon encompasses the geographic area of the Circuit Court of the State of Oregon for the County of Multnomah.

11. Contemporaneous with this filing, a copy of the Notice of Removal, along with the Notice of Filing Notice of Removal,<sup>1</sup> will be filed with the clerk Circuit Court of the State of Oregon for the County of Multnomah and served upon counsel for all adverse parties pursuant to 28 U.S.C. § 1446(d). Accordingly, pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, this action is properly removed to this Court.

12. By filing this Notice of Removal, Defendants do not waive their right to assert any defenses or objections to which it is entitled, including but not limited to any challenge to personal jurisdiction or the right to have the case dismissed on any other basis.

13. If any question arises as to the propriety of the removal of this action, Defendants request the opportunity to brief the issues, to present oral argument in support of its position, and to obtain jurisdictional discovery if needed.

14. Prior to filing this Notice of Removal, Defendants did not answer or otherwise plead in response to the Complaint in state court. Therefore, they will answer or present other defenses and objections in accordance with Federal Rule of Civil Procedure 81(c)(2)(C).

WHEREFORE, the Defendants request that this Court consider this Notice of Removal in accordance with the law governing the removal of cases to this Court; that this Court will make the appropriate orders to achieve the removal of this case from the Circuit Court of the State of

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<sup>1</sup> An unsigned copy of the Notice of Filing Notice of Removal to be filed with the state court is attached as **Exhibit B**.

Oregon for the County of Multnomah; and that this Court will make such other orders as may be appropriate to effect the preparation and filing of a true record in this case of all proceedings that may have been served in said Circuit Court.

Dated this 19th day of October, 2022.

Respectfully submitted,

SCHWABE, WILLIAMSON & WYATT, P.C.

By: s/ Mario E. Delegato  
Jeffrey S. Eden, OSB #851903  
Email: [jeden@schwabe.com](mailto:jeden@schwabe.com)  
Mario E. Delegato, OSB #195840  
Email: [mdelegato@schwabe.com](mailto:mdelegato@schwabe.com)

Of Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I hereby certify that on the 19<sup>th</sup> day of October, 2022, I served the following  
DEFENDANTS' NOTICE OF REMOVAL on:

J. Randolph Pickett  
Email: [randy@pdm.legal](mailto:randy@pdm.legal)  
J. Randolph Pickett  
Email: [randy@pdm.legal](mailto:randy@pdm.legal)  
Shangar S. Meman  
Email: [shangar@pdm.legal](mailto:shangar@pdm.legal)  
Kyle T. Sharp  
Email: [kyle@pdm.legal](mailto:kyle@pdm.legal)  
Rachel M. Jennings  
Email: [rachelj@pdm.legal](mailto:rachelj@pdm.legal)  
Pickett Dummigan McCall LLP  
Centennial Block, Fourth Floor  
210 S.W. Morrison Street  
Portland, OR 97204

*Of Attorneys for Plaintiff*

by:

<input checked="" type="checkbox"/>	U.S. Postal Service, ordinary first class mail
<input type="checkbox"/>	U.S. Postal Service, certified or registered mail,
<input type="checkbox"/>	return receipt requested
<input type="checkbox"/>	hand delivery
<input type="checkbox"/>	facsimile
<input checked="" type="checkbox"/>	electronic service (email)
<input type="checkbox"/>	other (specify) _____

s/ Mario E. Delegao

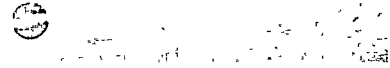
Mario E. Delegato, OSB #195840

\_Verified Correct Copy of Original 8/15/2022.\_

FILED

22 AUG 15 PM 2:44

4TH JUDICIAL DIST.



**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH**

JOHN T. STROHECKER dba  
PORTLAND FIDUCIARY SERVICES,  
Guardian *Ad Litem*/Special Fiduciary for  
DAVID W. BONNER,

Plaintiff,

v.

AMERICAN GOLF CORPORATION OF  
CALIFORNIA, INC. dba OREGON GOLF  
CLUB, fdba THE OREGON GOLF CLUB,  
a Foreign Corporation; and AMERICAN  
GOLF CORPORATION dba OREGON  
GOLF CLUB, fdba THE OREGON GOLF  
CLUB, a Foreign Corporation,

Defendants.

Plaintiff alleges:

Case No. 22CV27139

**COMPLAINT**

Personal Injuries – Premises Liability –  
Negligence – Liquor Liability

(Not Subject to Mandatory Arbitration)  
(Demand for Jury Trial)

Filing Fees Based Upon ORS 21.160(1)(d)  
Amount in Controversy: \$7,773,789.15

**COUNT ONE  
(Premises Liability - Negligence)**

1.

At all times material hereto:

\_Verified Correct Copy of Original 8/15/2022.\_

- a) Plaintiff David Bonner is an incapacitated person, as a result of suffering injuries on August 16, 2020, and John T. Strohecker dba Portland Fiduciary Services has been appointed his Guardian *Ad Litem*/Special Fiduciary in this proceeding;
- b) Defendant American Golf Corporation of California, Inc. dba Oregon Golf Club, fdba The Oregon Golf Club is a duly organized California corporation, authorized to do business and doing business as a golf club with a principal place of business and nerve center located at 25700 S.W. Pete's Mountain Road, city of West Linn, county of Clackamas, state of Oregon;
- c) Defendant American Golf Corporation dba Oregon Golf Club, fdba The Oregon Golf Club is is a duly organized California corporation, authorized to do business and doing business as a golf club with a principal place of business and nerve center located at 25700 S.W. Pete's Mountain Road, city of West Linn, county of Clackamas, state of Oregon;
- d) Defendants American Golf Corporation of California, Inc. and American Golf Corporation are hereinafter referred to collectively as "THE OREGON GOLF CLUB DEFENDANTS";
- e) The Oregon Golf Club defendants were licensed as providers of alcoholic beverages in the state of Oregon to serve alcoholic beverages to their members and to the general public, and carried on regular and sustained business activity within the Multnomah County.

## 2.

On or about August 16, 2020, plaintiff David W. Bonner went to The Oregon Golf Club to watch the finals of the club championship that was taking place on that date. Plaintiff consumed an excessive number of alcoholic beverages and became visibly intoxicated, while riding in and on golf carts and observing the match at the club. The Oregon Golf Club defendants were selling alcoholic beverages from golf carts that follow the match around, permitting spectators to purchase alcoholic beverages while on the course. Notwithstanding his visible intoxication, defendants and their employees continued to serve alcoholic beverages to plaintiff.

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3.

At some point during club championship, plaintiff was riding on the rear of a golf cart, in a position that was neither permitted nor allowed by the manufacturer of the golf cart. The cart on which plaintiff was riding was owned by the Oregon Golf Club. Plaintiff was observed riding the cart in this position by professionals at the golf course, who were riding in golf carts in a proper seated position, somewhere in the vicinity of the cart plaintiff was riding on, but took no action.

4.

As plaintiff was attempting to ride on the rear of the golf cart, in an improper position that should not have been permitted, he fell from the cart, striking his head on the asphalt cart path.

5.

A substantial factor in causing plaintiff to suffer injuries, as hereinafter alleged, was the negligence of defendant, by and through its employees, in one or more of the following particulars:

- a) In making golf carts available and permitting plaintiff to ride on the rear of the golf cart in an improper riding position;
- b) In failing to instruct plaintiff to stop riding on the golf cart in that position;
- c) In failing to warn plaintiff of the risks presented by riding in an improper position on the golf cart at a time when The Oregon Golf Club defendants knew, or in the exercise of reasonable care, should have known, of the reasonably foreseeable and unreasonably dangerous risk of harm presented;
- d) In failing to call for a cab or other form of assistance, such as Uber or Lyft, so that plaintiff could receive assistance in order to safely exit from The Oregon Golf Club, before he fell from the golf cart;
- e) In failing to properly train its staff to identify visibly intoxicated patrons;
- f) In failing to take reasonable measures to monitor and protect its patrons to enable them to avoid the consumption of alcoholic beverages at a time when they were visibly intoxicated.

6.

The negligence of defendant, in one or more of the particulars set forth above, was a substantial factor in causing plaintiff to suffer significant personal injuries, including those described below, many of which are permanent in nature:

\_Verified Correct Copy of Original 8/15/2022.\_

- 1 a) Multicompartmental subdural hematoma ("SDH") with one-and-four-tenths-
- 2 centimeter (1.4 cm) midline shift ("MLS");
- 3 b) Right convexity subarachnoid hemorrhage ("SAH");
- 4 c) Right frontal and temporal contusions;
- 5 d) Left parietal and temporal bone fractures;
- 6 e) Left occipital bone fracture extending through the left occipital condyle;
- 7 f) Left posterior neck hematoma extending from the occiput to the level of C5;
- 8 g) Left internal carotid artery ("ICA") narrowing;
- 9 h) Blunt cerebrovascular injury ("BCVI");
- 10 i) Left posterior sphenoid sinus fracture;
- 11 j) Acute multifactorial encephalopathy;
- 12 k) Craniectomy incision dehiscence;
- 13 l) Acute post-traumatic pain;
- 14 m) Acute blood loss anemia;
- 15 n) Dysphagia;
- 16 o) Severe protein calorie malnutrition;
- 17 p) Hyponatremia;
- 18 q) Urinary retention.

19 Plaintiff reserves the right to amend this Complaint at a later time to more fully describe  
 20 plaintiff's injuries as deemed necessary, and/or to conform to proof offered at trial.

21 7.

22 As a result of the aforementioned injuries, plaintiff underwent the following surgical  
 23 procedures:

- 24 a) Right decompressive hemicraniectomy/craniotomy;
- 25 b) Right autologous cranioplasty;
- 26 c) Incision closure;

\_Verified Correct Copy of Original 8/15/2022.\_

1 d) Repeat right craniotomy for evacuation of SDH.

2 8.

3 As a result of his injuries, plaintiff has been rendered sick, sore, nervous and distressed, has  
4 suffered permanent injury and loss of enjoyment of life, and will continue to sustain pain and loss  
5 of enjoyment of life in the future, all to his noneconomic damage in a reasonable amount to be  
6 determined by the jury to fully and adequately compensate plaintiff for his damages, but in an  
7 amount not to exceed the sum of \$6,500,000.00.

8 9.

9 As a result of his injuries, plaintiff has incurred reasonable and necessary medical, hospital,  
10 doctor, therapy, nursing, and rehabilitation expenses to date in the sum of \$573,789.15. Plaintiff  
11 will incur reasonable and necessary medical, hospital, doctor, therapy, nursing, and vocational  
12 rehabilitation expenses in the future in the approximate sum of \$100,000.00.

13 10.

14 Plaintiff lost income to date in the approximate sum of \$100,000.00. Plaintiff will incur loss  
15 of income and/or loss of earning capacity in the approximate sum of \$500,000.00. Plaintiff's total  
16 economic damages are the approximate sum of \$1,273,789.15.

17 11.

18 Plaintiff reserves the right to amend this Complaint at the time of trial to more completely  
19 allege his economic losses and/or to conform to proof offered at trial. Plaintiff is entitled to pre-  
20 judgment interest at the legal rate of 9% per annum for his economically verifiable losses from the  
21 date of loss to the date of entry of judgment herein.

22 12.

23 Plaintiff hereby demands a jury trial.

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25 ///

26 ///

\_Verified Correct Copy of Original 8/15/2022.\_

**COUNT TWO**  
**(Liquor Liability – Negligence)**

13.

Plaintiff realleges ¶¶ 1 through 4 and 6 through 12 of Count One of his Complaint.

14.

The Oregon Golf Club defendants were negligent in the following particular:

- a) In serving alcoholic beverages to plaintiff at a time when he was visibly intoxicated.

15.


The negligence of The Oregon Golf Club defendants in serving alcoholic beverages to plaintiff at a time when he was visibly intoxicated, was a substantial factor in causing plaintiff to suffer the injuries, undergo the surgeries, and incur the damages set forth in ¶¶ 6 through 10 above.

16.

Notice of this claim was given to defendants, pursuant to the provisions of ORS 471.565, on or about February 19, 2021.

WHEREFORE, plaintiff prays for judgment against defendant in the sum of \$7,773,789.15, for his costs and disbursements incurred herein, and for such other relief as the court deems appropriate and just.

DATED this 15th day of August, 2022.

  
J. Randolph Pickett, OSB #721974  
[randy@pdm.legal](mailto:randy@pdm.legal)  
Shangar S. Meman, OSB #171205  
[shangar@pdm.legal](mailto:shangar@pdm.legal)  
Kyle T. Sharp, OSB #721974  
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Rachel M. Jennings, OSB #205474  
[rachelj@pdm.legal](mailto:rachelj@pdm.legal)  
PICKETT DUMMIGAN MCCALL LLP

of Attorneys for Plaintiff

**In the Circuit Court of the State of Oregon**

**For the County of Multnomah**

JOHN T. STROHECKER dba  
PORTLAND FIDUCIARY SERVICES,  
Guardian *Ad Litem*/Special Fiduciary for  
DAVID W. BONNER,

Plaintiff,

v.

AMERICAN GOLF CORPORATION OF  
CALIFORNIA, INC. dba OREGON GOLF  
CLUB, fdba THE OREGON GOLF CLUB, a  
Foreign Corporation; and AMERICAN GOLF  
CORPORATION dba OREGON GOLF  
CLUB, fdba THE OREGON GOLF CLUB, a  
Foreign Corporation,

Defendants.

Case No. 22CV27139

**SUMMONS**

**To: American Golf Corporation dba Oregon Golf Club fdba The Oregon Golf Club  
R/A National Registered Agents, Inc.  
330 N. Brand Boulevard, Suite 700  
Glendale, CA 91203**

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT:  
READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal document called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service on the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service online at [www.oregonstatebar.org](http://www.oregonstatebar.org) or by calling (503) 684-3763 (in the Portland metropolitan area) or toll-free elsewhere in Oregon at (800) 452-7636.

**TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS:** You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual or other legal entity to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

  
SIGNATURE OF ATTORNEY

J. Randolph Pickett, OSB #721974  
PICKETT DUMMIGAN MCCALL LLP  
Centennial Block, Fourth Floor  
210 S.W. Morrison Street  
Portland, OR 97204  
Telephone: (503) 226-3628

  
ATTORNEY FOR PLAINTIFF

**EXHIBIT A**  
**Page 7 of 8**



**In the Circuit Court of the State of Oregon**

**For the County of Multnomah**

JOHN T. STROHECKER dba  
PORTLAND FIDUCIARY SERVICES,  
Guardian *Ad Litem*/Special Fiduciary for  
DAVID W. BONNER,

Plaintiff,

v.

AMERICAN GOLF CORPORATION OF  
CALIFORNIA, INC. dba OREGON GOLF  
CLUB, fdba THE OREGON GOLF CLUB, a  
Foreign Corporation; and AMERICAN GOLF  
CORPORATION dba OREGON GOLF  
CLUB, fdba THE OREGON GOLF CLUB, a  
Foreign Corporation,

Defendants.

Case No. 22CV27139

**SUMMONS**

**To:** American Golf Corporation of California, Inc.  
dba Oregon Golf Club fdba The Oregon Golf Club  
R/A National Registered Agents, Inc.  
780 Commercial Street, S.E., Suite 100  
Salem, OR 97301

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT:  
READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal document called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service on the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service online at [www.oregonstatebar.org](http://www.oregonstatebar.org) or by calling (503) 684-3763 (in the Portland metropolitan area) or toll-free elsewhere in Oregon at (800) 452-7636.

**TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS:** You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual or other legal entity to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

SIGNATURE OF ATTORNEY

J. Randolph Pickett, OSB #721974  
PICKETT DUMMIGAN MCCALL LLP  
Centennial Block, Fourth Floor  
210 S.W. Morrison Street  
Portland, OR 97204  
Telephone: (503) 226-3628

ATTORNEY FOR PLAINTIFF

**EXHIBIT A**  
**Page 8 of 8**

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

JOHN T. STROHECKER dba  
PORTLAND FIDUCIARY SERVICES,  
Guardian Ad Litem/Special Fiduciary for  
DAVID W. BONNER,

Plaintiff,

vs.

AMERICAN GOLF CORPORATION OF  
CALIFORNIA, INC. dba OREGON GOLF  
CLUB, fdba THE OREGON GOLF CLUB, a  
Foreign Corporation, and AMERICAN GOLF  
CORPORATION dba OREGON GOLF  
CLUB, fdba THE OREGON GOLF CLUB, a  
Foreign Corporation,

Defendant.

No. 22CV27139

**NOTICE OF FILING NOTICE OF  
REMOVAL**

You are hereby notified that on October 19, 2022, a Notice of Removal of Civil Action (the "Notice of Removal"), a true and correct copy of which is attached hereto (with exhibits thereto) as **Exhibit 1**, was filed in the United States District Court for the District of Oregon, Portland Division, with respect to the above-captioned action, *John T. Strohecker dba Portland Fiduciary Services, Guardian Ad Litem/Special Fiduciary for David W. Bonner v. American Golf Corporation of California, Inc. dba Oregon Golf Club, fdba The Oregon Golf Club, et al.*, Circuit Court of the State of Oregon for Multnomah County, Case No. 22CV27139.

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1 Dated this 19th day of October, 2022.

2 SCHWABE, WILLIAMSON & WYATT, P.C.

3  
4 By: s/ Mario E. Delegato  
5 Jeffrey S. Eden, OSB #851903  
6 Email: [jeden@schwabe.com](mailto:jeden@schwabe.com)  
7 Mario E. Delegato, OSB #195840  
8 Email: [mdelegato@schwabe.com](mailto:mdelegato@schwabe.com)

9 Of Attorneys for Defendants  
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**CERTIFICATE OF SERVICE**

I hereby certify that on 19th day of October, 2022, I served the following **NOTICE OF REMOVAL OF CIVIL ACTION** on:

J. Randolph Pickett  
Email: randy@pdm.legal  
Shangar S. Meman  
Email: shangar@pdm.legal  
Kyle T. Sharp  
Email: kyle@pdm.legal  
Rachel M. Jennings  
Email: rachelj@pdm.legal  
Pickett Dummigan McCall LLP  
Centennial Block, Fourth Floor  
210 S.W. Morrison Street  
Portland, OR 97204

*Of Attorneys for Plaintiff*

By mailing a true and correct copy thereof by U.S. Postal Service, ordinary first class mail, addressed to each attorney's last-known address and depositing in the U.S. mail at Portland, Oregon on the date set forth above.

DATED this 19th day of October, 2022.

s/ Mario E. Delegato  
Mario E. Delegato, OSB #195840